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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,610	01/17/2001	Robert William Phippen	GB920000043US1	7864

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EXAMINER

BROWN, JAMES LEE

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 06/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/764,610

Applicant(s)

PHIPPEN ET AL.

Examiner

James Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 1-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3 and 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined.
2. Information Disclosure Statement, Paper #5, received 08/20/2001, has been entered into the record.
3. Claims 1-14 are pending.

Priority

4. This application claims foreign priority to application 0013031.0 GB filed 05/31/2000.
5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
6. The effective filing date for the subject matter defined in the pending claims in this application is 05/31/2000.

Drawings

7. The Examiner contends that the drawings submitted on 01/17/2001 are acceptable for examination proceedings.

Specification

8. The disclosure is objected to because of the following informalities:
 - a. " application format into another" lacks punctuation. (Page 2 line 15)
 - b. The term "FIELD1" needs a space between "FIELD" and "1" for

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consistency with the remainder of the application. (Page 3 line 5)

c. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP §608.01. (Page 9 line 13)

d. Typographical error in "assists the administrator in taking the decision".
(Page 10 line 8)

The Office suggests that the applicant review the application and correct all other minor informalities in response to this office action.

Claim Objections

9. The claims are not the object of a sentence beginning with "I (or we) claim," "The invention claimed is" (or the equivalent). Appropriate correction is required. (See MPEP §608.01). For the purpose of application examination, the Office will interpret the claims as if claims were prefixed with "The invention claimed is".

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Shear (U.S. Patent No. 5,627,972) hereinafter referred to as Shear.

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Shear disclosed a system and method for transforming data from a first format to a second format comprising:

(Claims 1,7) means for transforming an input message in any of a plurality of formats recognized by one component of said system into an output message in one of a plurality of different formats recognized by another component of said system (Column 4 lines 40-59) and a message log for storing representative samples of messages processed by the respective system components (Column 4 lines 4-9); means for determining the compatibility of each field of each of said plurality of input message formats with one or more fields of said plurality of output message formats (Column 6 lines 1-30, column 7 lines 12-25,); means for statistically analyzing the values of message fields in messages stored in said message log (Column 4 lines 4-9, column 6 lines 30-40); and selection means responsive to said compatibility determination and said statistical analysis to select the best fit output message field into which to transform a given input message field (Column 7 lines 11-26, column 8 lines 40-56).

(Claims 1,2,7,8) means for statistical analysis produces the numerical distribution of values in said message fields (Column 6 lines 10-22), said selection means selecting the best fit distribution for all said compatible fields (Column 7 lines 11-26).

(Claims 1,3,7,9) *selection means ranks output message fields according to the results of the statistical analysis* (Column 8 lines 50-67, column 9 lines 1-31).

(Claims 1,4,7,10) *a message repository manager for storing meta-data for said two pluralities of message formats* (Column 4 lines 17-32), *said compatibility determining means basing its determination of compatibility on said meta-data* (Column 6 line 1-30).

(Claims 1,5,7,11) *the values of said message fields include numerical values* (Column 6 lines 13-15) *and said means for statistical analysis is arranged to analyze the range of numerical values in the respective fields and to augment said meta-data with said range of values* (Column 6 line 5-22).

(Claims 1,6,7,12) *means for statistical analysis produces the numerical distribution of values in said message fields* (Column 6 lines 30-40), *said selection means selecting the best fit distribution for all said compatible fields* (Column 7 lines 11-26, column 8 lines 40-56) *and in which said meta-data for each field includes said distribution of numerical values for said field* (Column 6 lines 30-40, column 8 lines 57-67, column 9 lines 1-31).

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12. In regards to claim 13, Shear disclosed the automated implementation of the limitations recited in the rejection of claims 1-12 (Column 5 lines 27-52, column 9 lines 31-46).

13. In regards to claim 14, the system and method disclosed in Shear meets the broad definition of message broker. Specifically, means for receiving messages from many sources and forwarding to many destinations (Column 4 lines 38-63); and it facilitates communications between computer systems that utilize different message structures (Column 5 lines 1-9, column 6 lines 42-46). All other limitations of claim 14 were recited in the rejection of claims 1-12 above.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure based on relevance to automated message conversion: Tomm et al (U.S. Pat. No. 6,560,608B1); Bamforth et al (U.S. Pat. No. 6,330,617 B1); Ruis (U.S. Pat. No. 5,339,434); Williams et al (U.S. Pat. No. 6,032,147); Bliss et al (U.S. Pat. No. 5,999,938); Kokubo et al (U.S. Pat. No. 5,956,688); and Konda et al (U.S. Pub. No. 2003/0041095 A1).

15. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to James Brown whose telephone number is (703) 605-4247. The Examiner can normally be reached on Monday-Friday from 9am to 4pm. If


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attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, William Cuchlinsky, can be reached at (703) 308-3873. The fax phone number for this Group is (703) 872-9306. Inquiries of a general nature relating to the general status of this application or proceeding should be directed to the 2100 Group receptionist whose telephone number is (703) 305-3900.

James Brown

Patent Examiner

Group Art Unit 2144


WILLIAM A. CUCHLINSKI, JR.
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